

Dec 21, 2017

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

WILLIAM WINSTON BASSETT,

Petitioner,

v.

DONALD HOLBROOK,

Respondent.

2:17-cv-00150-SAB

**ORDER ADOPTING REPORT
AND RECOMMENDATION
AND DISMISSING FIRST
AMENDED PETITION**

Before the Court is Magistrate Judge John Rodgers' Report and Recommendation, ECF No. 13. Magistrate Judge Rodgers found, and the Court agrees, that Petitioner's claims are unexhausted. *Baldwin v. Reese*, 541 U.S. 27 (2004); *O'Sullivan v. Boerckel*, 526 U.S. 838, 845 (1999); *Rose v. Lundy*, 455 U.S. 509, 518-20 (1982). There being no objections, the Court **adopts** the Report and Recommendation in full.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

1. Magistrate Judge Rodgers' Report and Recommendation, ECF No. 13, is **ADOPTED IN ITS ENTIRETY** as the Order of this Court.
2. The First Amended Petition, ECF No. 10, is **DISMISSED** without prejudice.

**ORDER ADOPTING REPORT AND RECOMMENDATION AND
DISMISSING FIRST AMENDED PETITION -- 1**

1 **IT IS SO ORDERED.** The Clerk of Court is directed to **enter** this Order,
2 **enter** judgment, **provide** copies to Petitioner, and **close** the file. The Court further
3 certifies that there is no basis upon which to issue a certificate of appealability. 28
4 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

5 **DATED** this 21st day of December 2017.



10 *Stanley A. Bastian*

11 Stanley A. Bastian
12 United States District Judge
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